

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION**

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KENYATTA HARDIN,

Plaintiff,

v.

CITY OF MEMPHIS DIVISION OF FIRE  
SERVICES,

Defendant.

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No. 2:19-cv-02556-SHL-atc

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**ORDER ADOPTING REPORT AND RECOMMENDATION AND  
DENYING DEFENDANT’S MOTION TO DISMISS**

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Before the Court is Magistrate Judge Annie T. Christoff’s (“Magistrate Judge”) Report and Recommendation (“Report”) (ECF No. 22), filed on August 23, 2021, recommending that the Court deny Defendant’s Motion to Dismiss. (ECF No. 20.)

A magistrate judge may submit to a judge of the court proposed findings of fact and recommendations for dismissal. 28 U.S.C. § 636(b)(1)(B). “Within 14 days after being served with a copy of the recommended disposition, a party may serve and file specific written objections to the proposed findings and recommendations.” Fed. R. Civ. P. 72(b)(2); see also 28 U.S.C. § 636(b)(1) (2017). A district court reviews de novo only those proposed findings of fact or conclusions of law to which a party specifically objects. § 636(b)(1); Fed. R. Civ. P. 72(b)(3).

Defendant has filed no objections to the Magistrate Judge’s Report, and the deadline to do so has now passed. The Court has reviewed the Report for clear error and finds none. Therefore, the Court **ADOPTS** the Magistrate Judge’s Report and hereby **DENIES** Defendant’s Motion to Dismiss without prejudice and exercises its discretion to provide Plaintiff fourteen (14) days, as a final opportunity, to effectuate service of process.

**IT IS SO ORDERED**, this 16th day of September, 2021.

s/ Sheryl H. Lipman  
SHERYL H. LIPMAN  
UNITED STATES DISTRICT JUDGE